

Louisiana Statewide Independent Living Council

This council has three Executive Orders

BJ 08-73

JBE 16-14

JBE 20-8

EXECUTIVE ORDER

BJ 08-73

Louisiana Statewide Independent Living Council

WHEREAS, the state of Louisiana promotes a philosophy of independent living in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities;

WHEREAS, the state of Louisiana also supports the integration and full inclusion of individuals with disabilities into the mainstream of American society;

WHEREAS, the federal Rehabilitation Act of 1973 as amended, (the Act), 29 U.S.C.A. §701, *et seq.*, includes the following provisions to carry out this effort:

- A. Providing financial assistance to states for providing, expanding, and improving the provision of independent living services;
- B. Providing financial assistance to develop and support statewide networks of centers for independent living; and
- C. Providing financial assistance to states for improving working relationships among independent living partners; and

WHEREAS, to be eligible to receive financial assistance under this chapter, each state must establish a Statewide Independent Living Council;

NOW THEREFORE, I, BOBBY JINDAL, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and the laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The Louisiana's Statewide Independent Living Council (hereafter "Council") is reestablished and recreated in accordance with the Act, 29 U.S.C.A. §701, *et seq.*

SECTION 2: The duties of the Council shall include, but are not limited to, the following:

- A. Jointly develop and sign (in conjunction with Louisiana Rehabilitation Services) the State Plan for Independent Living as mandated in §704 of the Act;
- B. Monitor, review, and evaluate the implementation of the State plan;
- C. Coordinate activities with the State Rehabilitation Council and other councils which address the needs of specific disability populations and issues under other federal law;

D. Ensure that all regularly scheduled meetings of the Council are open to the public and sufficient advance notice is provided; and

E. Submit periodic reports to the federal government, as required by law, regulation, and/or rule.

SECTION 3: The Council shall be composed of twenty-one (21) members who shall be appointed by the Governor. The membership of the Council shall include four (4) members meeting the following membership criteria:

A. One (1) director of a center for independent living, chosen by the directors of centers for independent living within the state;

B. As ex officio, nonvoting members:

a. One representative from Louisiana Rehabilitation Services (the designated state unit); and

b. One representative from other state agencies that provide services for individuals with disabilities.

C. One (1) representative of the directors of the projects carried out under §121 of the Act.

The remaining seventeen (17) members of the Council include:

A. Two (2) representatives from centers for independent living;

B. Two (2) parents and guardians of individuals with disabilities;

C. Eight (8) advocates of and for individuals with disabilities;

D. Three (3) representatives from private businesses; and

E. Two (2) representatives from organizations that provide services for individuals with disabilities.

SECTION 4: The Council shall be composed of members who provide statewide representation; who represent a broad range of individuals with disabilities from diverse backgrounds; who are knowledgeable about centers for independent living and independent living services; and a majority of whom are persons who are individuals with disabilities described in §7(20)(B) of the Act; and are not employed by any state agency or center for independent living.

SECTION 5: Each member of the Council shall serve for a term of three (3) years, except that A) a member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed, shall be appointed for the remainder of such term; and B) the terms of service of the member initially appointed shall be, as specified by the appointing authority, for such fewer number of years as will provide for the expiration on a staggered basis. No member shall serve more than two (2) consecutive full terms.

SECTION 6: The Council shall not be an entity within any state agency, including LRS, and is independent of LRS and all other state agencies. The Council shall coordinate its activities with the Office of Disability Affairs, Office of the Governor. The executive director of the Office of Disability Affairs will provide administrative oversight to ensure that the Council is compliant with all rules and regulations of the state of Louisiana, including those concerning purchasing and procurement, hiring, firing, and evaluating staff, and ethical behavior and practices.

SECTION 7 : The Council shall, consistent with state law, supervise and evaluate its staff and other personnel as may be necessary to carry out the functions of the Council.

SECTION 8 :

A. Council members shall not receive additional compensation or a per diem from the Office of the Governor for serving on the Council;

B. Council members may be reimbursed for reasonable and necessary expenses of attending Council meetings and performing Council duties (including child care and personal assistance services);

C. Council members who are employees or elected public officials of the state of Louisiana or a political subdivision thereof may seek reimbursement of travel expenses, in accordance with PPM 49, from their employing and /or elected department, agency and/or office; and

D. Council members who are also members of the Louisiana Legislature may seek a per diem from the Louisiana State Senate or House of Representatives, as appropriate, for their attendance.

SECTION 9: Support staff, facilities, and resources for the Council shall be provided by the Office of the Governor.

SECTION 10 : All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Council in implementing the provision of this Order.

SECTION 11 : This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 22nd day of August, 2008.

Bobby Jindal
Governor

ATTEST BY
THE GOVERNOR
Jay Dardenne

Secretary of State

EXECUTIVE ORDER

JBE 16-14

Governor's Statewide Independent Living Council

WHEREAS, the State of Louisiana remains committed to promoting a philosophy of independent living in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities;

WHEREAS, the State of Louisiana also promotes the integration and full inclusion of individuals with disabilities into the mainstream of Louisiana's communities;

WHEREAS, the Federal Rehabilitation Act of 1973, as amended, specifically, 29 U.S.C.A. § 796, was enacted to promote independent living by:

- A. Providing financial assistance to States for providing, expanding, and improving the provision of independent living services;
- B. Providing financial assistance to develop and support statewide networks of centers for independent living; and
- C. Providing financial assistance to states for improving working relationships among independent living partners; and

WHEREAS, to be eligible to receive financial assistance under this chapter, each State must establish a Statewide Independent Living Council.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The State of Louisiana's Statewide Independent Living Council (hereafter "Council") is reestablished and recreated in the executive department, Office of the Governor, in accordance with 29 U.S.C.A. §796d.

SECTION 2: The duties of the Council shall include, but are not limited to, the following:

1. Jointly develop and sign (in conjunction with Louisiana Rehabilitation Services) the State Plan for Independent Living, as described by 29 U.S.C.A. § 796c;
2. Monitor, review, and evaluate the implementation of the State plan;
3. Coordinate activities with the State Rehabilitation Council and other councils which address the needs of specific disability populations and issues under other federal law;

4. Ensure that all regularly scheduled meetings of the Council are held in compliance with Louisiana's Open Meetings Law, La. R.S. 42:11 *et seq.*; and
5. Submit periodic reports to the federal government, as required by law, regulation, and/or rule.

SECTION 3: The Council shall be composed of twenty-two (22) members who shall be designated by the Governor. The membership of the Council shall be as follows:

- A. One (1) director of a center for independent living, chosen by the directors of centers for independent living within the state;
- B. Sixteen (16) members selected among the following: individuals with disabilities; representatives from centers for independent living; parents and/or legal guardians of individuals with disabilities; advocates of and for individuals with disabilities; representatives from private businesses; representatives from organizations that provide services for individuals with disabilities; and any other individuals deemed appropriate.
- C. Five (5) ex officio, non-voting members, which shall include: one (1) representative from Louisiana Rehabilitation Services, the designated state entity; the Executive Director of the Governor's Office of Disability Affairs and representatives from a State agency that provides services for individuals with disabilities. Ex officio members will not be counted for purposes of a quorum.

SECTION 4: The Council shall be composed of members who provide statewide representation, represent a broad range of individuals with disabilities from diverse backgrounds, and are knowledgeable about centers for independent living and independent living services. A majority of the voting members of the Council shall be individuals with disabilities, as described in 29 U.S.C.A. § 705(20)(B), and shall not employed by any State agency or center for independent living.

SECTION 5: Council members shall serve a term of three (3) years, except members designated to fill a vacancy, who shall serve the remainder of the unexpired term. The Governor may allow a member currently serving on the Council, as was created by BJ 08-73, to finish his or her term. No member shall serve more than two (2) consecutive full terms.

SECTION 6: The Council shall not be an entity within any state agency, including LRS, and is independent of LRS and all other state agencies. The Council shall coordinate its activities with the Office of Disability Affairs, Office of the Governor. The executive director of the Office of Disability Affairs will provide administrative oversight to ensure that the Council is compliant with all rules and regulations of the state of Louisiana, including those concerning purchasing and procurement, hiring, firing, and evaluating staff, and ethical behavior and practices.

SECTION 7: The majority of the Council members shall not receive compensation, either directly or indirectly, for work performed on behalf of any Center for Independent Living or be employed by any state agency.

SECTION 8: Council members shall not receive additional compensation or a per diem from the Office of the Governor for serving on the Council;

Council members who are employees or elected public officials of the State of Louisiana or a political subdivision thereof may seek reimbursement of travel expenses, in accordance with PPM 49, from their employing and/or elected department, agency and/or office; and

Council members who are also members of the Louisiana Legislature may seek a per diem from the Louisiana State Senate or House of Representatives, as appropriate, for their attendance.

SECTION 9: Support staff, facilities, and resources for the Council shall be provided by the Office of the Governor. The Council may evaluate employees of the Council as is necessary to carry out its functions. Any such evaluation shall be forwarded to the Office of the Governor for consideration. Any decisions involving continued employment of individuals providing services to the Council are made by the Office of the Governor.

SECTION 10: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Council in implementing the provisions of this Order.

SECTION 11: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 29th day of April, 2016.

John Bel Edwards
Governor

ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State

EXECUTIVE ORDER

JBE 20-8

Statewide Independent Living Council Amending Executive Order Number 16-14

WHEREAS, the State of Louisiana remains committed to promoting a philosophy of independent living in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities;

WHEREAS, the Federal Rehabilitation Act of 1973, as amended, specifically, 29 U.S.C.A. §796, was enacted to promote independent living by:

- A. Providing financial assistance to States for providing, expanding, and improving the provision of independent living services;
- B. Providing financial assistance to develop and support statewide networks of centers for independent living; and
- C. Providing financial assistance to states for improving working relationships among independent living partners;

WHEREAS, the Statewide Independent Living Council was reestablished and recreated within the executive department, Office of the Governor, in accordance with 29 U.S.C.A. §796d on April 29, 2016, through Executive Order Number JBE 16-14; and

WHEREAS, it is necessary to amend Executive Order Number JBE 16-14.

NOW, THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, in accordance with the authority vested in me by the Constitution and statutes of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 3 of Executive Order Number JBE 16-14, issued on April 29, 2016, is hereby amended as follows:

The Council shall be composed of twenty-four (24) members who shall be designated by the Governor. The membership of the Council shall be as follows:

- A. One (1) director of a center for independent living, chosen by the directors of centers for independent living within the state;
- B. Sixteen (16) members selected among the following:
 - individuals with disabilities; representatives from centers for independent living; parents and/or legal guardians of individuals with disabilities; advocates of and for individuals with disabilities; representatives from private businesses;

representatives from organizations that provide services for individuals with disabilities; and any other individuals deemed appropriate.

C. Seven (7) ex officio, non-voting members, which shall include representatives from State agencies that provides services for individuals with disabilities. Ex officio members will not be counted for purposes of a quorum.

SECTION 2: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 2nd day of March, 2020.

John Bel Edwards
Governor

ATTEST BY
THE GOVERNOR
Kyle Ardoin
Secretary of State